

Customized FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY DOCKET NO.  
P06473US0/TPS

U.S. APPLICATION NO.  
09/367,496

INTERNATIONAL APPLICATION NO.  
PCT/FR98/00328

INTERNATIONAL FILING DATE  
FEBRUARY 19, 1998

PRIORITY DATE CLAIMED  
FEBRUARY 19, 1997

TITLE OF INVENTION: USE OF ULIP PROTEINS IN THE DIAGNOSIS AND THERAPY OF CANCERS . . .

APPLICANT(S) FOR DO/EO/US: AGUERA et al.

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- X 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. A **copy** of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. has been transmitted by the International Bureau.
  - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- X 6. A **translation** of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))
  - a. are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. have been transmitted by the International Bureau.
  - c. have not been made; however, the time limit for making such amendments had NOT expired.
  - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- X 9. An **oath** or **déclaration** of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern document(s) or information included:**
11. An **Information Disclosure Statement** under 37 C.F.R. 1.97 and 1.98.
- X 12. An **Assignment** document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **First preliminary amendment**.  
A Second or subsequent preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
- X 16. Other items or information: I hereby attest that the attached is an information and belief true and accurate translation of PCT/FR98/00328.

12/01/1999 PVL/PE 00000108 09367496

01 FC:154  
02 FC:156

130.00 OP  
130.00 OP

Date: November 24, 1999

INTERNATIONAL APPLICATION NO.  
PCT/FR98/00328

INTERNATIONAL FILING DATE  
FEBRUARY 19, 1998

PRIORITY DATE CLAIMED  
FEBRUARY 19, 1997

**X 17. The following fees are submitted:**

**Basic National Fee (37 CFR 1.492 (a) (1)-(5):**

Search Report has been prepared by the EPO or JPO	\$ 840
International preliminary examination fee paid to USPTO	\$ 670
No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO	\$ 760
Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO	\$ 970
Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4)	\$ 96

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130 for furnishing the oath or declaration later than [ ] 20 mos.  
from the earliest claimed priority date (37 CFR 1.492(e)). [ ] 30 mos. +

\$

\$ 130.00

**CLAIMS**

**NUMBER FILED**

**NUMBER EXTRA**

**RATE**

Total Claims

- 20 =

X \$18 =

\$

Independent Claims

- 03 =

X \$78 =

\$

Multiple Dependent Claim(s) (if applicable)

+ \$260 =

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 130.00

Reduction of 1/2 for filing by small entity, if applicable.  
Small Entity Statement must also be filed.

\$

**SUBTOTAL =**

\$

Processing fee of \$130 for furnishing the English translation later than [ ] 20 mos.  
from the earliest claimed priority date (37 CFR 1.492(f)). [ ] 30 mos. +

\$ 130.00

**TOTAL NATIONAL FEE =**

\$ 130.00

Fee for recording the enclosed assignment, accompanied by a cover sheet - \$40 per property

\$ 40.00

**TOTAL FEES ENCLOSED =**

\$ 300.00

Amount to be

Refunded \$

Charged \$

- X a.** A check in the amount of \$300.00 to cover the above fees is enclosed.
- b.** Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees.
- X c.** The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.

**Note:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Address correspondence to:

At the address (below) of **CUSTOMER NO. 000881.**

LARSON & TAYLOR  
1199 NORTH FAIRFAX ST.  
SUITE 900  
ALEXANDRIA, VA 22314

SIGNATURE: 

NAME: Thomas P. Sarro

REG. NO.: 19,396

PHONE NO.: 703-739-4900

Date: 11/24/99



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

09/367456

ALGERIA

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

RECEIVED

5071

NOV 03 1999

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INTERNATIONAL APPLICATION NO.

PCT/FR98/00328

I.A. FILING DATE

PRIORITY DATE

02/19/98

02/19/97

DATE MAILED: 10/26/99

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
  - ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☒ a non-English language.
    - ☐ English.
  - ☐ Translation of the international application into English.
  - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments.
  - ☐ Translation of Article 19 amendments into English.
  - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.
  - ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.
  - ☐ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed \_\_\_\_\_.
  - ☐ Statement Claiming Small Entity Status.
  - ☐ Priority Document.
  - ☐ Copy of the International Search Report ☐ and copies of the references cited therein.
  - ☐ Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☒ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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(703) 306-3653

*SV*